

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JANE CUMMINGS,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:18-cv-01746-M
	§	
NEIGHBORHOOD ASSISTANCE	§	
CORPORATION OF AMERICA,	§	
	§	
Defendant.	§	

JOINT STATUS REPORT ON PRETRIAL OBJECTIONS TO EXHIBITS,
WITNESSES, AND DEPOSITION DESIGNATIONS

In accordance with this Court's Order dated July 15, 2024 [ECF 78], the parties submit the following Joint Status Report on Pretrial Objections to Exhibits, Witnesses, and Deposition Designations.

The parties do not object to exhibits or witnesses other than the Defendant's objections outlined herein pursuant to ECF 78:

Exhibit Number	Concise non argumentative description of Exhibit	Objection with concise explanation and authority.	Response with concise explanation and authority.
Plaintiff's Exhibit 2	Transcript of Video Relay Service Call	Triple hearsay. <i>Wilson v. Zapata Off-Shore Co.</i> , 939 F.2d 260, 271 (5th Cir. 1991) (FRE 805 requires all levels of hearsay to satisfy exceptions before a statement is admissible).	FRE 803(1); 801(d)(2) <i>United States v. Murray</i> , 988 F.2d 518, 525 (5th Cir. 1993) (transcripts are admissible to aid in understanding a recording, including cases in which the transcript may be difficult to hear) <i>United States v. Martinez-Gaytan</i> , 213 F.3d 890, 892 (5th Cir. 2000); <i>United States v. Cordero</i> , 18 F.3d 1248, 1253 (5th Cir. 1994) (adopting the reasoning of the Second and Ninth Circuits on the interpreter-conduit theory); <i>United States v. Lopez</i> , 937 F.2d 716, 724 (2d Cir.

			1991) (“Except in unusual circumstances, an interpreter is no more than a language conduit and therefore his translation does not create an additional level of hearsay.”)
Plaintiff’s Exhibit 5	Video of VRS	Double Hearsay. Same concise explanation and authority.	<p>Rule 803(1); 801(d)(2)</p> <p><i>United States v. Martinez-Gaytan</i>, 213 F.3d 890, 892 (5th Cir. 2000); <i>United States v. Cordero</i>, 18 F.3d 1248, 1253 (5th Cir. 1994) (adopting the reasoning of the Second and Ninth Circuits on the interpreter-conduit theory); <i>United States v. Lopez</i>, 937 F.2d 716, 724 (2d Cir. 1991) (“Except in unusual circumstances, an interpreter is no more than a language conduit and therefore his translation does not create an</p>

			additional level of hearsay.”)
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Witness	Concise non argumentative summary of witness and connection to facts	Objection with concise explanation and authority.	Response with concise explanation and authority.
Representative from DAC Interpreting	Custodian of Records	Witness not timely disclosed. FRCP 26, 37.	Plaintiff amended her disclosures. Disclosure of the witness harmless in accordance with FRCP 37(1); <i>Tex. A&M Research Found. v. Magna Transp., Inc.</i> , 338 F.3d 394, 402 (5th Cir. 2003)

Respectfully submitted,

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